IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5512 OF 2007
(Dinesh s/o Santosh Katekhaye vs. Rashtra Sant Tukdoji Maharaj Nagpur University and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : D.D. SINHA AND
SMT. VASANTI A. NAIK, JJ.

DATED : NOVEMBER 28, 2007

Shri Parchure, learned Counsel for the petitioner, states that pursuant to advertisement dated 9.2.2007 issued by the respondent no.1, applications were invited for the post of Garden Superintendent amongst other posts. It is contended that petitioner had applied for the said post, but initially did not get call letter. However, at the later point of time, petitioner received the call letter and was also present at the venue where interviews were scheduled. However, petitioner was not permitted to participate in the process of interview and, therefore, petitioner has filed the present petition for necessary

directions.

We have considered the contentions canvassed by the learned Counsel for the petitioner and perused clause (5) of the advertisement, which reads thus :

"Garden Superintendent – 1 post – Open Category
Eligibility -
1) Must be M.Sc. in Horticulture or
B.Sc. (Agriculture with five years practical experience in the line)
2) Not less than 25 years of age and unless already in the service of the Universities or affiliated Colleges, not more than 35 years of age."

It is not in dispute that petitioner was not in service of other University or affiliated college. In that view of the matter, in our considered view, the petitioner lacked basic eligibility. Consequently, action of the respondents cannot be said to be bad in law. The petition suffers from lack of merit and hence, the same is dismissed.

JUDGE JUDGE

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